

July 10, 1999

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Dockets Management Branch
The Food and Drug Administration
Department of Health and Human Services, Rm. 1-23
12420 Parklawn Dr.
Rockville, MD 20857

Re: 99P-1340/CP 1
Petition to Have "Eternity eau de parfum" Misbranded

To Whom It May Concern:

I teach biology and health at Culver City High School. Many years ago I accidentally punctured a plastic container and was overwhelmed by formaldehyde fumes in my lab. Now I have reactive airway disease and have become sensitized to other chemicals in addition to formaldehyde. These include household and industrial cleaners, paints, essential oils, perfumes and almost anything with an artificial fragrance. Such chemicals give me headaches and make it hard for me to breathe. They also cause flu-like symptoms and make me feel nauseous and dizzy.

In 1994 I filed a workers compensation claim and was found to be chemically injured as a result of my exposure and sensitization. The school installed an air filter in my classroom, stopped using certain cleaning products, and took other measures to accommodate my condition so that I could continue to teach. I also have to ask my students to avoid wearing perfume to my classes and have sent home letters to their parents explaining the reasons for my request.

Unfortunately, every semester there are a few kids who ignore my requests and who have even used fragrances to attack me. Students have deliberately worn them to class; sprayed them on my desk, work and other surfaces; tossed bottles of fragrance into my classroom from the hall; and have even been caught vandalizing my house with fragrances. The school administration was not very supportive in responding to these attacks and did not treat them seriously. As a

result, the attacks continued and escalated. I became an "easy target."

After over 90 such incidents, my health had deteriorated so much that I was forced to file a grievance against the school and the district through my teachers union. Thanks to arbitration, I received a favorable ruling in 1997. This ruling validated my illness and forced the school and the district to take these fragrance assaults seriously.

My case received national attention in the press and because of this, I have been contacted by many, many people, including other teachers, who have similar problems with fragrances. Many of the people who contact me are in danger, like I was, of losing their jobs due to the hazards of fragrances worn in the workplace. We are all hampered by the fact that most people, including our employers, co-workers and students, believe that--because there is no warning label--fragrances must therefore be "safe." Our complaints are not taken seriously as a result.

Our employers, colleagues and students do not know, because they have not been warned, that fragrances contain many substances which have not been adequately tested and many substances which have already been proven toxic. They don't realize that the combinations of these substances are not tested either and that science actually has no reliable method for evaluating the effect of these complex combinations on human health.

I am writing because I fully support the above petition to have "Eternity" misbranded and request that the FDA give it careful attention with regard to your regulations **21CFR Sec. 740.1, 21CFR Sec. 740.2,** and **21CFR Sec. 740.10**. Regulation **21CFR Sec. 740.10** specifically states:

"Each ingredient used in a cosmetic product and each finished cosmetic product shall be adequately substantiated for safety prior to marketing. Any such ingredient or product whose safety is not adequately substantiated prior to marketing is misbranded unless it contains the following conspicuous statement on the principal display panel: "Warning--The safety of this product has not been determined."

As the petition shows, "Eternity" contains toxic ingredients and ingredients whose safety have not been substantiated. There is no warning label on its packaging. Personally, I find it one of the most

toxic fragrances around, and suffer immediately when exposed to it.

Like tobacco smoke, the harmful chemicals currently used in these products may effect the health of many people, including: people with asthma, chemical sensitivities, chronic fatigue, and other environmental illnesses. If even minute quantities of certain substances in cigarette smoke can be considered hazardous, why is it so difficult to understand when many people react to the small amounts of toxic chemicals in fragrances?

We all have a right to know the status of safety testing of the ingredients in products such as "Eternity" so that we can protect ourselves from toxic chemicals that may cause health problems. These toxic chemicals act as powerful barriers to people disabled by asthma and chemical sensitivities. Because of this, toxic chemicals in fragrances have already ruined countless lives.

Please act on behalf of the public's interest within the scope of your own regulations.

Sincerely,

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